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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Confirmation No.: 5309

WAHLROOS et al.

Atty. Docket No. 108306-00024

Application No. 10/787,393

Examiner: Page, Brent T.

Filed: February 27, 2004

Art Unit: 1638

For: METHODS AND CONSTRUCTS FOR INCREASING THE CONTENT OF
SELECTED AMINO ACIDS IN SEEDS

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop AMENDMENT

November 17, 2006

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This paper is filed in response to the Restriction Requirement dated October 30, 2006, in connection with the above-identified patent application.

The Restriction Requirement asserted that the claims define six (6) independent and distinct inventions and required the Applicants to elect one of the following six inventions:

Group I Claim 11, drawn to a method for increasing the content of one or more selected amino acids in a selected tissue or organ of a plant, wherein said selected tissue or organ is a seed;

Group II Claims 12, 15, 17 and 22, drawn to a method for increasing the content of one or more selected amino acids in a selected tissue

or organ of a plant, wherein said selected tissue or organ is a cell wall or a cell membrane;

Group III Claims 13 and 16, drawn to a method for increasing the content of one or more selected amino acids in a selected tissue or organ of a plant, wherein said selected tissue or organ is an oil body;

Group IV Claims 26 – 42 and 45 – 51, drawn to a recombinant nucleotide sequence construct for increasing the content of one or more selected amino acids in a selected tissue or organ of a plant;

Group V Claims 43 and 44, drawn to a method for producing a composition comprising in plant material an amino acid-enriched carrier protein having a polyamino acid extension; and

Group VI Claim 52, drawn to a composition comprising in plant material an amino acid-enriched carrier protein having a polyamino extension.

As noted on page 3 of the Restriction Requirement, "INVENTIONS I-III ARE LINKED BY CLAIMS 1-10, 14, 18-21, AND 23-25." Applicants thank the Examiner for indicating that "Upon the allowance of the linking claims, the restriction requirement as to the linked inventions [i.e., Groups I, II, and III] shall be withdrawn and any claims depending from or otherwise including all the limitations of the allowable linking claims will be entitled to examination in the instant application" (Restriction Requirement, page 8, second full paragraph).

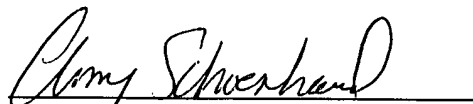
Applicants hereby provisionally elect Group III, claims 13 and 16, "drawn to a method for increasing the content of one or more selected amino acids in a selected tissue or organ of a plant, wherein the selected tissue or organ is an oil body" (Restriction Requirement, page 2). Applicants reserve the right to file one or more divisional applications directed to the non-elected claims.

In view of the Applicants' above election, Applicants respectfully submit that the Restriction Requirement has been satisfied. Accordingly, Applicants respectfully request examination of the pending claims on the merits.

It is believed that an extension of time is not required. However, in the event that extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefore are hereby authorized to be charged to our Deposit Account No. 01-2300, referencing Attorney Docket Number **108306-00024**.

Please charge any fee deficiency or credit any overpayment with respect to this paper to Deposit Account Number 01-2300, referencing Attorney Docket Number **108306-00024**.

Respectfully submitted,


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